



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
MERRITT ISLAND REGULATORY FIELD OFFICE
2460 NORTH COURTENAY PARKWAY, SUITE 204
MERRITT ISLAND, FLORIDA 32953

Regulatory Division
North Permits Branch

PUBLIC NOTICE

Permit Application No. SAJ-2004-8849 (IP-AWP) **SEP 14 2004**

TO WHOM IT MAY CONCERN: This district has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344) as described below.

APPLICANT: Sebastian River Landings LLC
1688 W. Hibiscus Blvd.
Melbourne, Florida 32901

WATERWAY & LOCATION: The proposed project is located southeast of the intersection of State Road (SR) 512 and County Road (CR) 510, Section 26, Township 31 South, Range 38 East, Sebastian, Indian River County, Florida. The project as proposed would impact historic tributaries of the St. Sebastian River.

DIRECTIONS TO SITE: From the intersection of I-95 and SR 512 in Sebastian proceed east to CR 510. The project site is located southeast of the intersection of SR 512 and CR 510.

LATITUDE & LONGITUDE: Latitude.....27°45'42" North
Longitude.....80°30'19" West

PROJECT PURPOSE:

Basic: Construction of a residential development.

Overall: Construction of a residential development within Sebastian, Florida.

PROPOSED WORK: The applicant proposes to fill a 1.13-acre linear agricultural ditch, a former tributary of the St. Sebastian River, for the purpose of developing of a single-family residential development on a 62.6-acre site. The eastern and northern portions of the site abut wetlands associated with the St. Sebastian River floodplain. The agricultural ditch referenced above meanders through the site from south west,

ultimately draining into the St. Sebastian River. The wetlands to the north of the site are dominated by Brazilian pepper (*Schinus terebinthifolius*), while along the eastern boundary of the site the wetlands contain a mixture of Carolina willow (*Salix caroliniana*), primrose willow (*Ludwigia peruviana*), cypress (*Taxodium ascendens*), black gum (*Nyssa sylvatica*), red maple (*Acer rubrum*), laurel oak (*Quercus laurifolia*), and pop ash (*Fraxinus caroliniana*). The adjacent agricultural development has allowed for the invasion by Brazilian pepper (*Schinus terebinthifolius*) along the fringe of the wetlands.

The 1.13 ditch has been channelized and re-routed, and had the flow pattern adjusted by the installation of water control and conveyance structures. These alterations, in addition to the untreated agricultural runoff from the adjacent fields, have resulted in a shift of the vegetation to undesirable and non-native species. These species include Brazilian pepper, primrose willow (*Ludwigia peruviana*), cattails (*Typha* spp.), and Carolina willow (*Salix caroliniana*).

ENDANGERED SPECIES: The U.S. Army Corps of Engineers is not aware of any threatened or endangered species on the project site.

PROPOSED MITIGATION: The proposed plan includes approximately 0.70 acres of wetland enhancement on site, as well as the creation and enhancement of approximately 0.85 acres of wetlands to the north and west of the project site associated with a tributary of the Sebastian River. The wetland enhancement will include the removal of exotic and nuisance species within the wetlands. The wetland creation area will be vegetated with a mixture of herbaceous species, and will provide additional foraging areas for wading birds in the area.

The applicant is proposing to re-establish approximately 4.86 acres of native upland buffers adjacent to the created and enhanced wetlands to provide both additional wildlife habitat, as well as a buffer between the proposed home sites and the preserved wetlands. These areas are currently in agricultural use (pasture and grove) which provides minimal resource benefit to adjacent wetland systems.

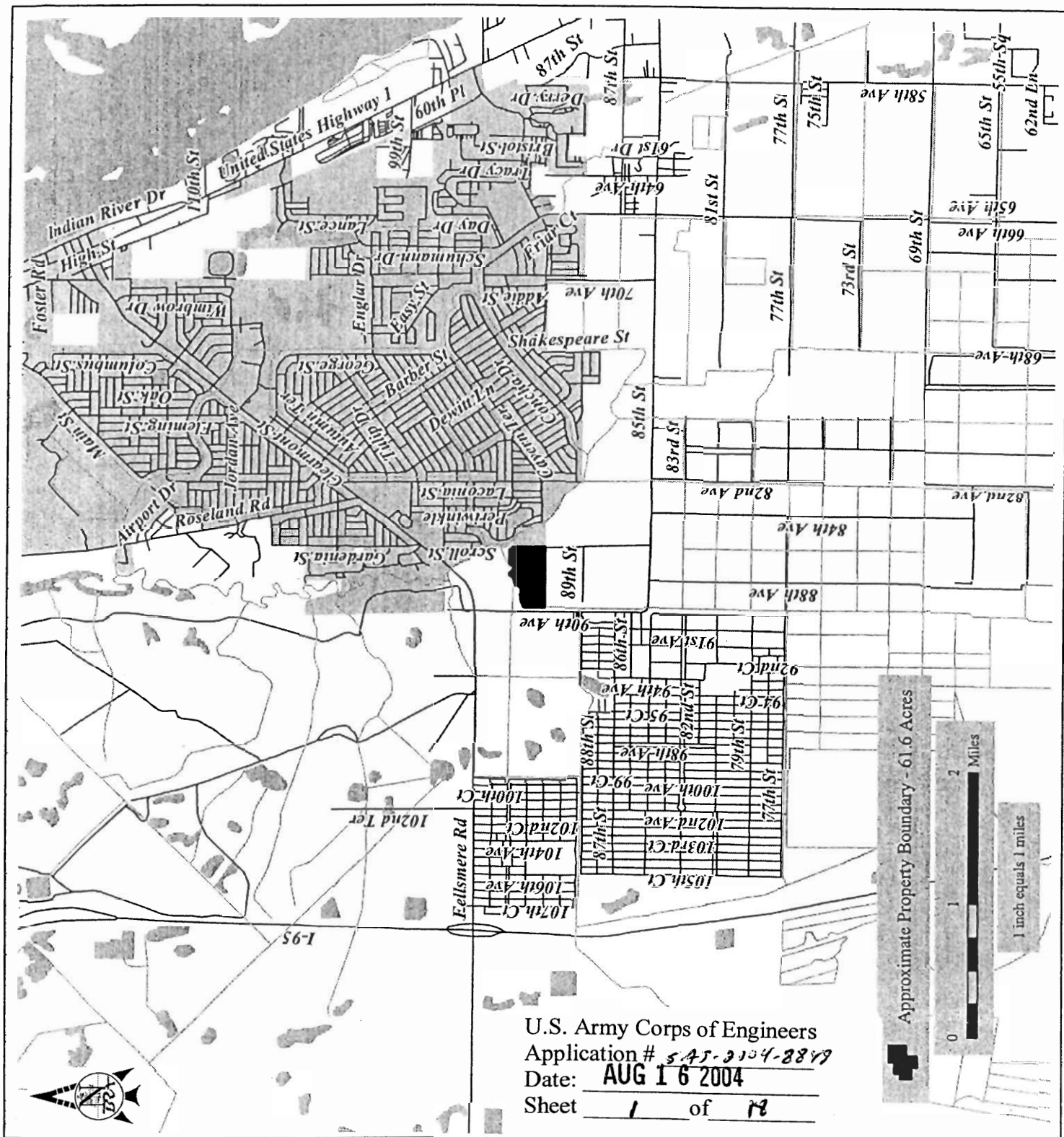
The proposed project will enhance approximately 6.5 acres of lands directly associated with the St. Sebastian River, and place these lands within a perpetual conservation easement.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has been verified.

AUTHORIZATION FROM OTHER AGENCIES: A State Water Quality Certification/Permit may be required for this project. The Saint Johns River Water Management District (SJRWMD) is processing an application for this project. The State application number is 40-061-85595-2.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within 30 days from the date of this notice.

If you have any questions concerning this application, you may contact Andrew Phillips of this office either by letter at the letterhead address, by telephone at 321-453-7655, by e-mail at andrew.w.phillips@saj02.usace.army.mil, or by fax at 321-453-5220.



Sec. 26 Twp. 31S Rng 38E

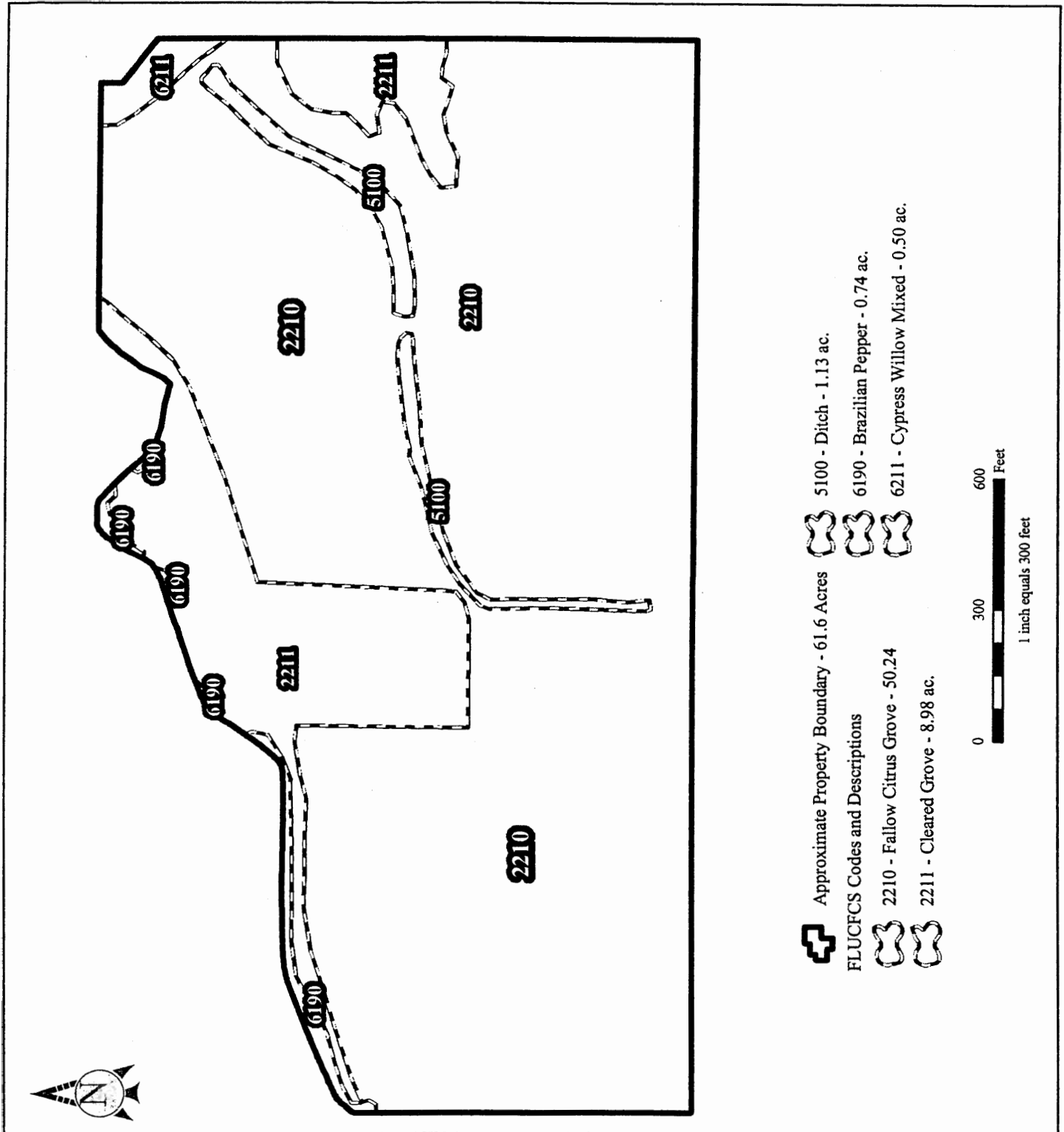
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Preparation Date: Revision Date: Project Number:
 30 July, 2004 8001-014-v70
 Project Manager: GIS Operator: GIS QA/QC:
 LEC LBS
 ArcMap Name: Plot File:
 location-bw.mxd figure1-bw.pdf

Figure 1
Sebastian River Landings
Phase II
Indian River County, Florida
Location Map

Biological Research Associates
 2205 14th Avenue
 Suite 200
 Vero Beach, Florida 32960
 (772)299-0147 FAX:(772)299-4449
 www.biologicalresearch.com





Sec. 26 Twp. 31S Rng 38E

Image: 1999 USGS DOQQ

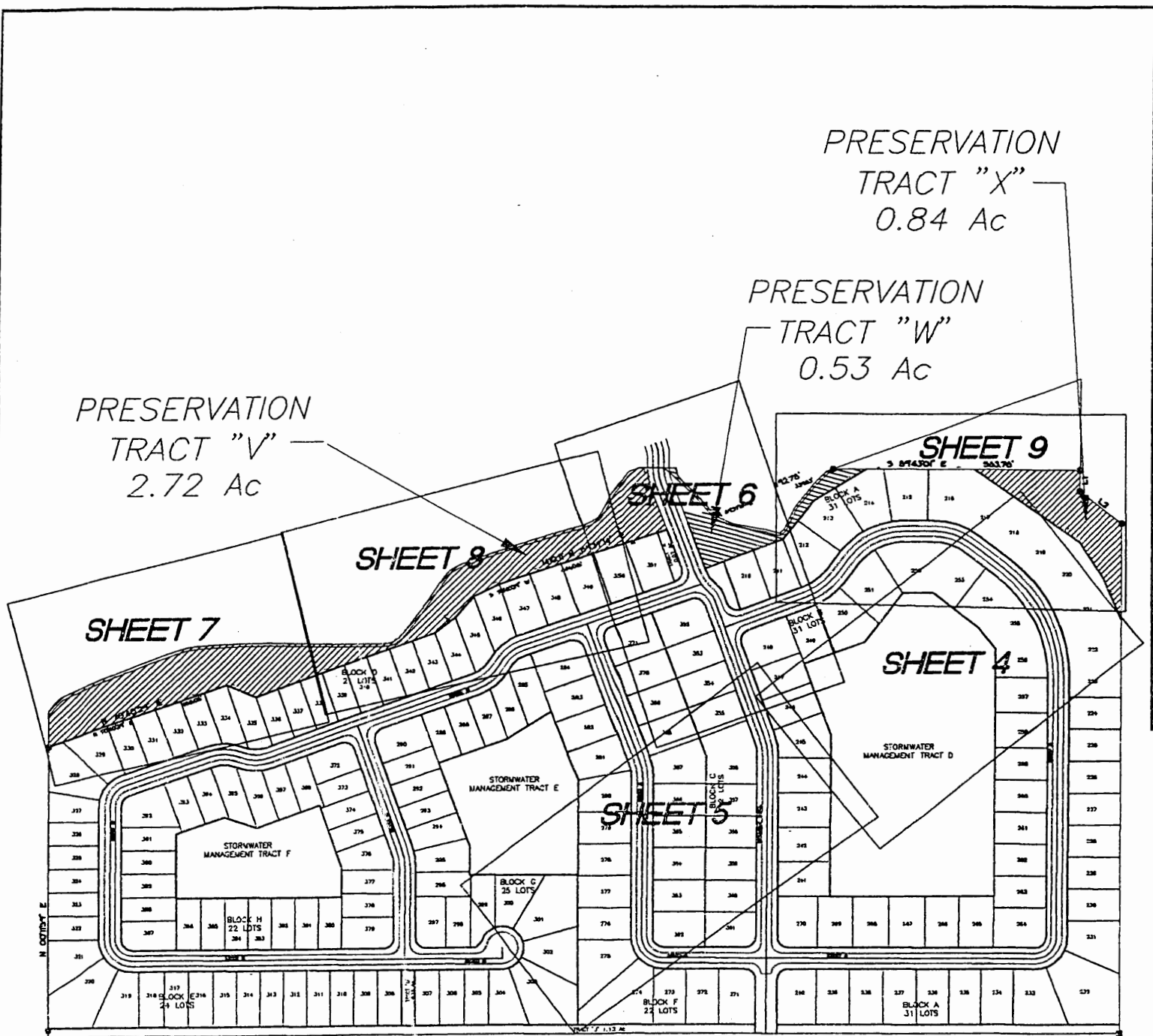
Preparation Date: 06 May, 2004
Revision Date: 30 July, 2004
Project Number: 8001-014-v70

Project Manager: LEC
GIS Operator: LBS
GIS QA/QC:

ArcMap Name: landuse-bw.mxd
Plot File: landuse-bw.pdf

**Sebastian River Landings
Phase II
Indian River County, Florida
Land Use (FLUCFCS) Map**

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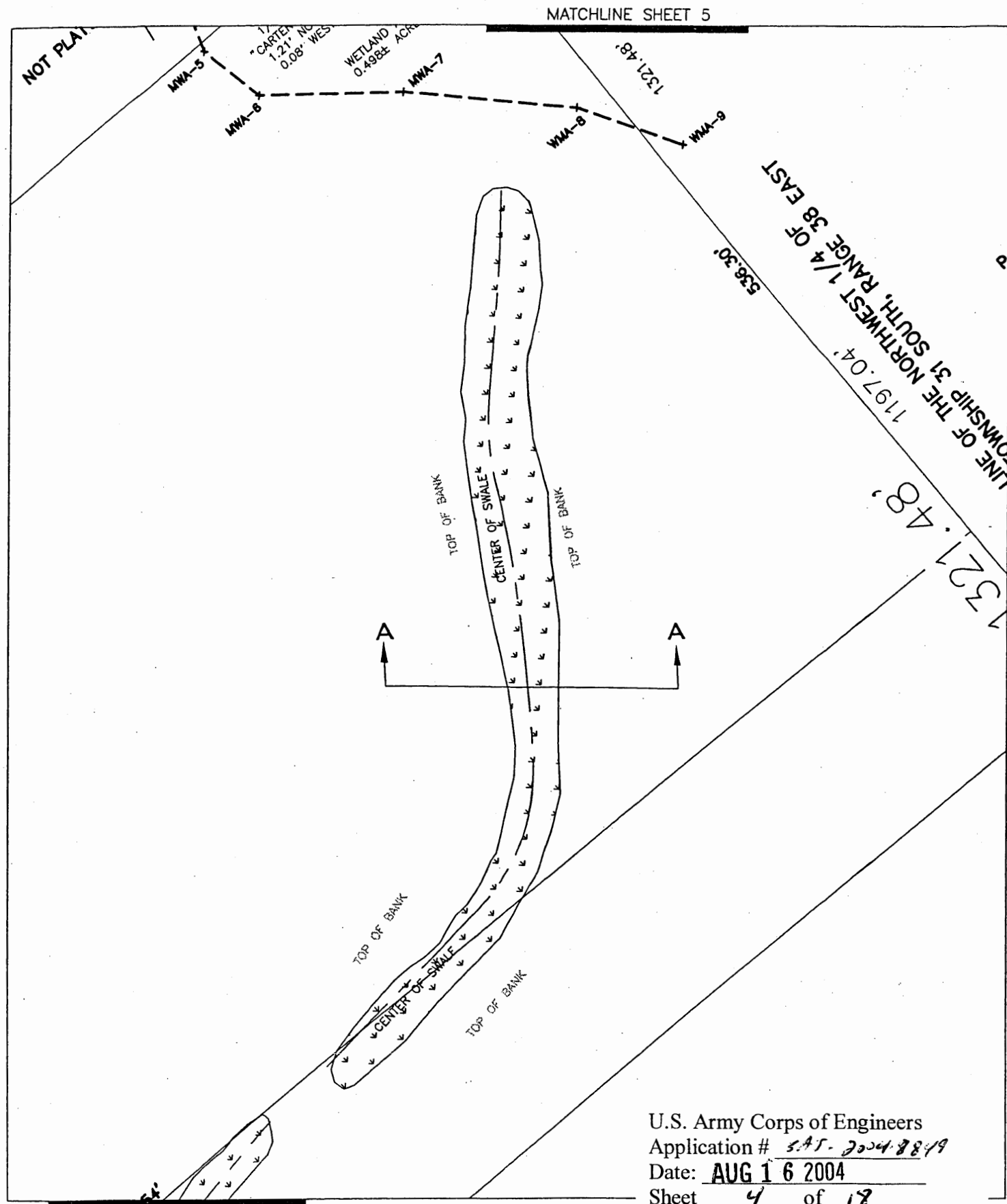
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 CONSULTING ENGINEERS
 2455 - 14TH AVENUE
 VERO BEACH, FLORIDA 32960
 PHONE (772) 569-0035

Sebastian River
Landings II

JOB NO. 025634
 DRN/CHK BAM
 DATE JUNE 9, 2004



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MATCHLINE SHEET 5

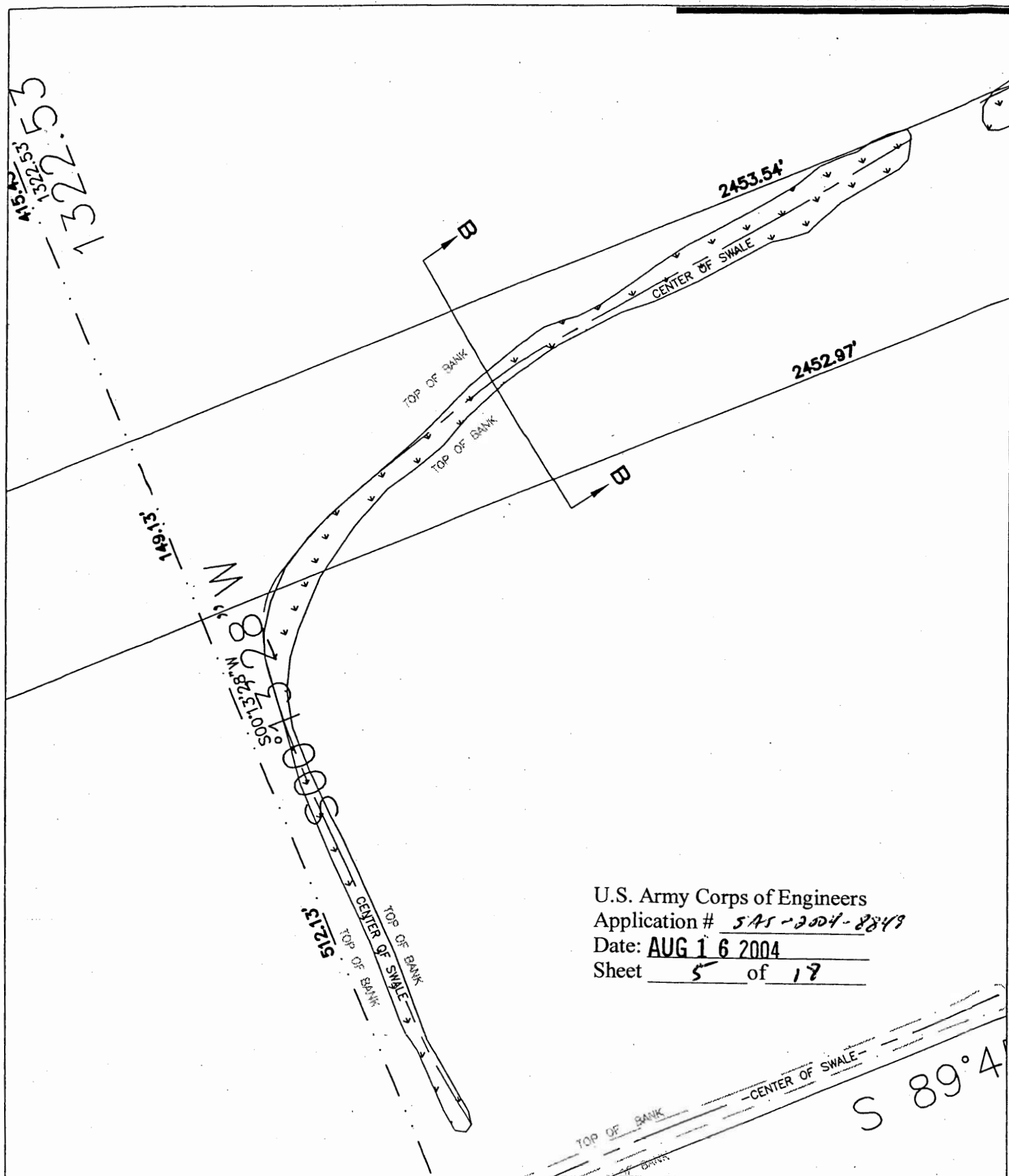


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 VERO BEACH, FLORIDA 32960
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Sebastian River

Landings II

JOB NO.	02-634
DRN/CHK	WJA/BAM
DATE	JUNE 9, 2004



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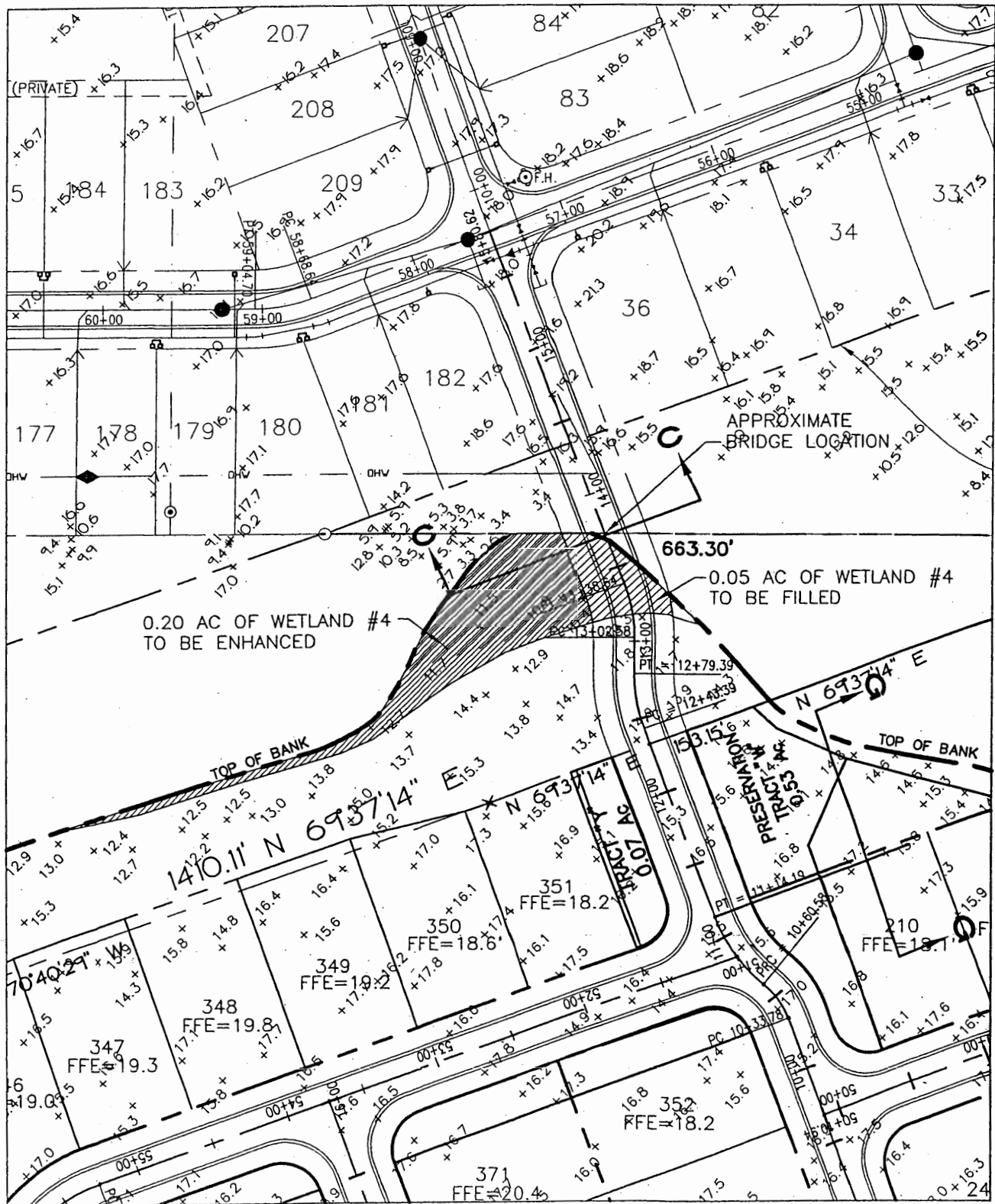
MOSBY AND ASSOCIATES, INC.
CONSULTING ENGINEERS
2455 - 14TH AVENUE
VERO BEACH, FLORIDA 32960
PHONE (772) 569-0035
FAX (772) 778-3617

Sebastian River

Landings II

Sebastian Florida

JOB NO.	02-634
DRN/CHK	WJA/BAM
DATE	JUNE 9, 2004
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Sebastian F
Landings

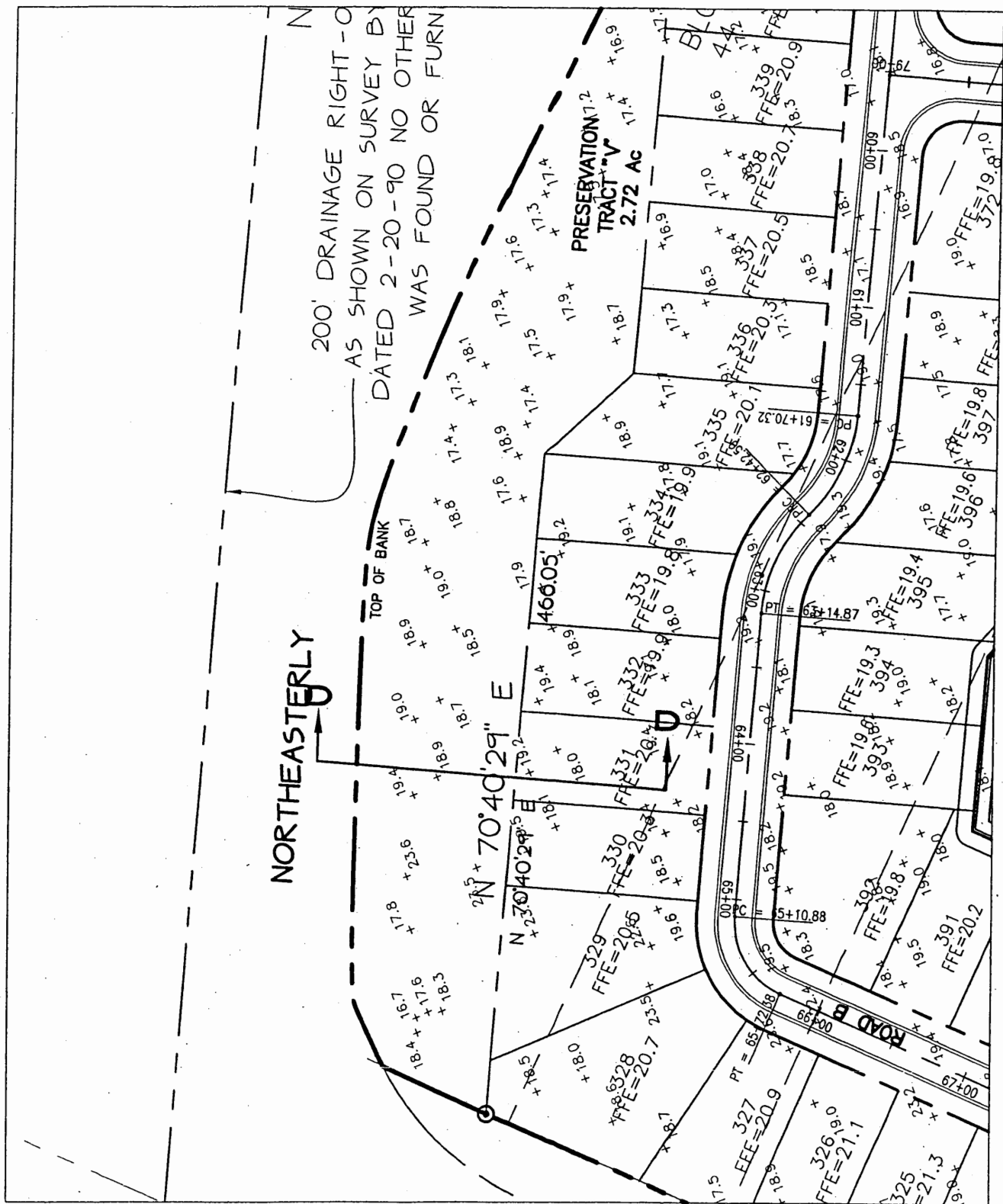
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U.S. Army Corps of Engineers
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Florida

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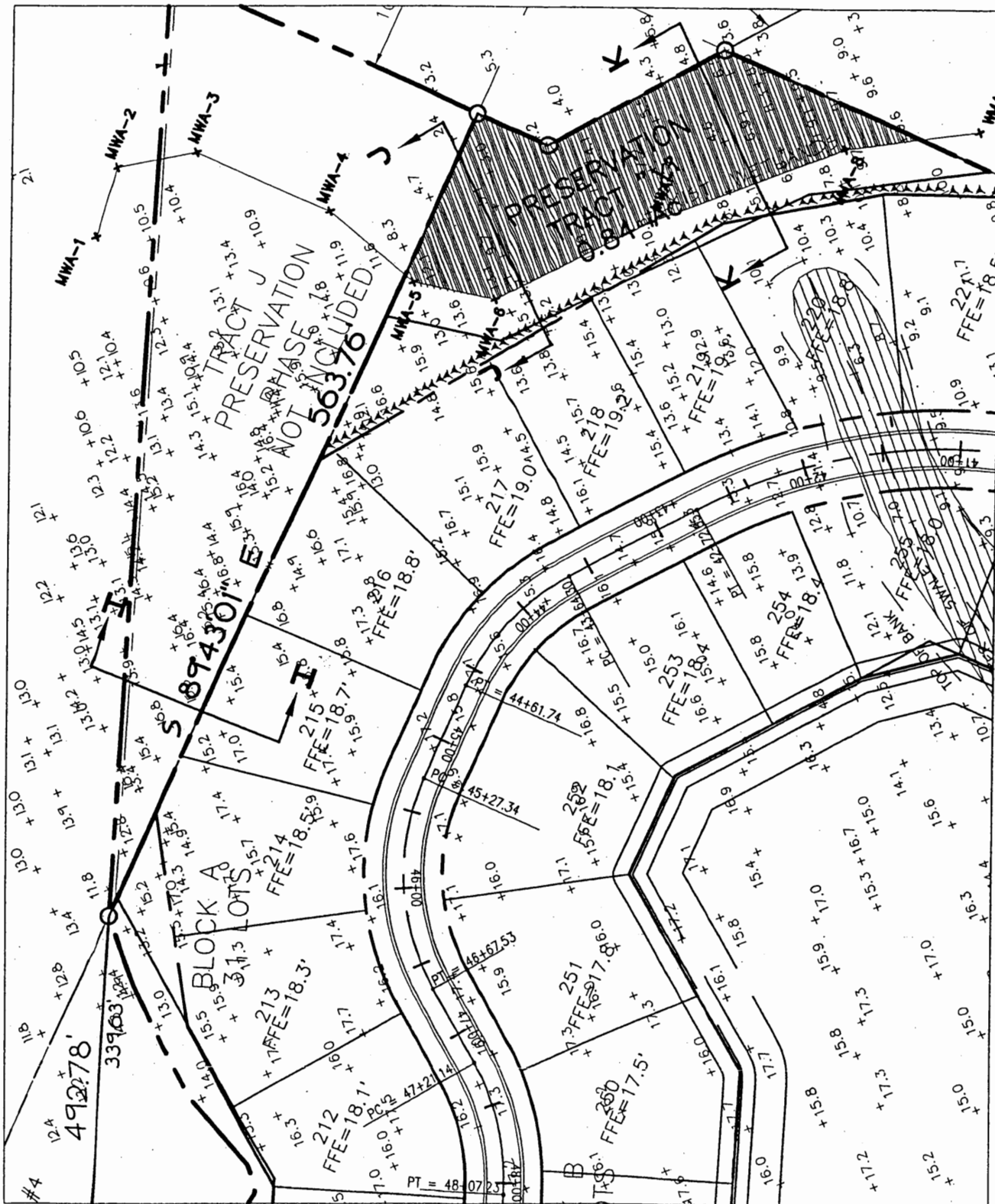
MOSBY AND ASSOCIATES, INC.
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Sebastian

Landings

Sebastian

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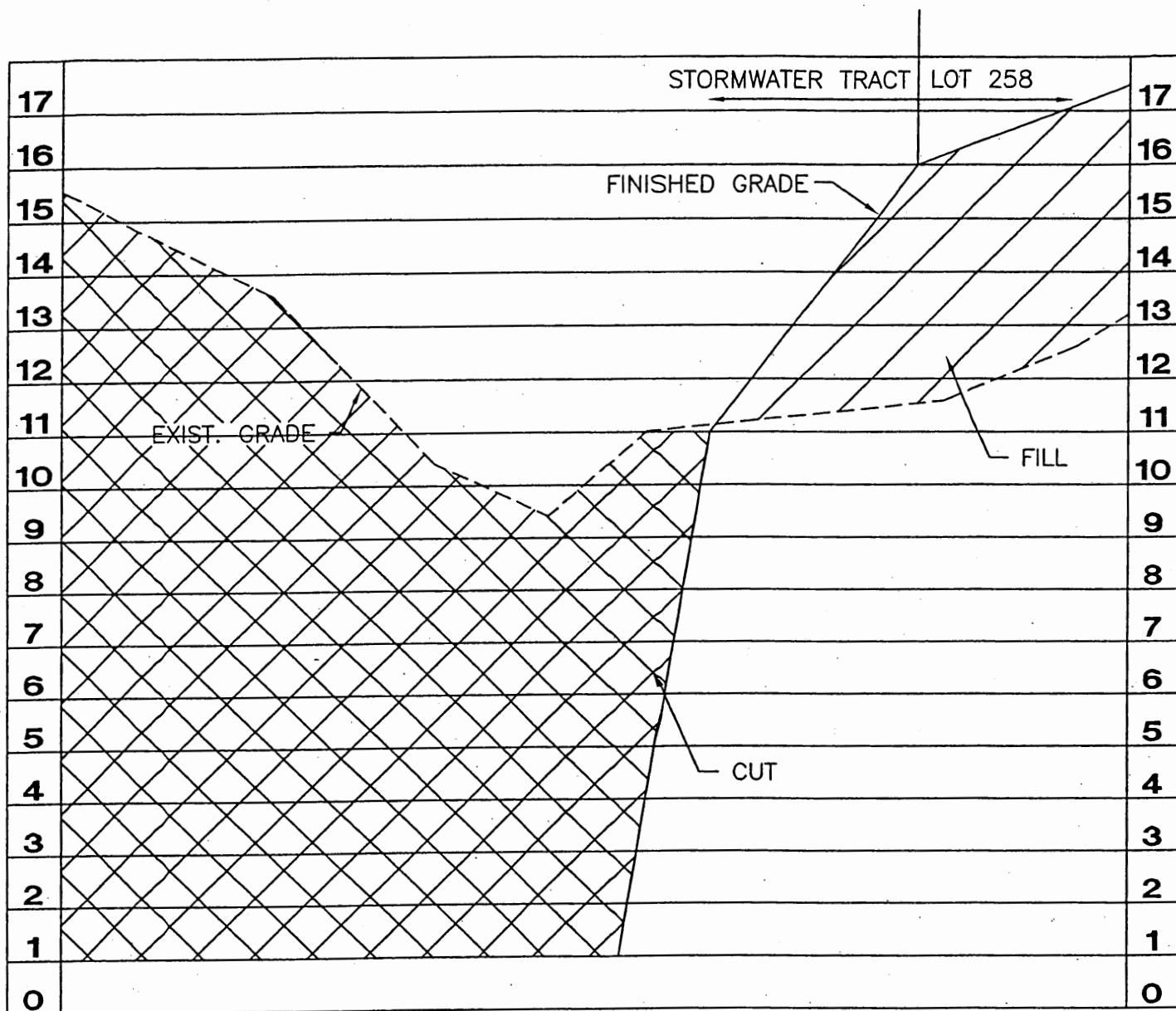


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Landing

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SECTION A-A
H= 1"=30', V= 1"=3'

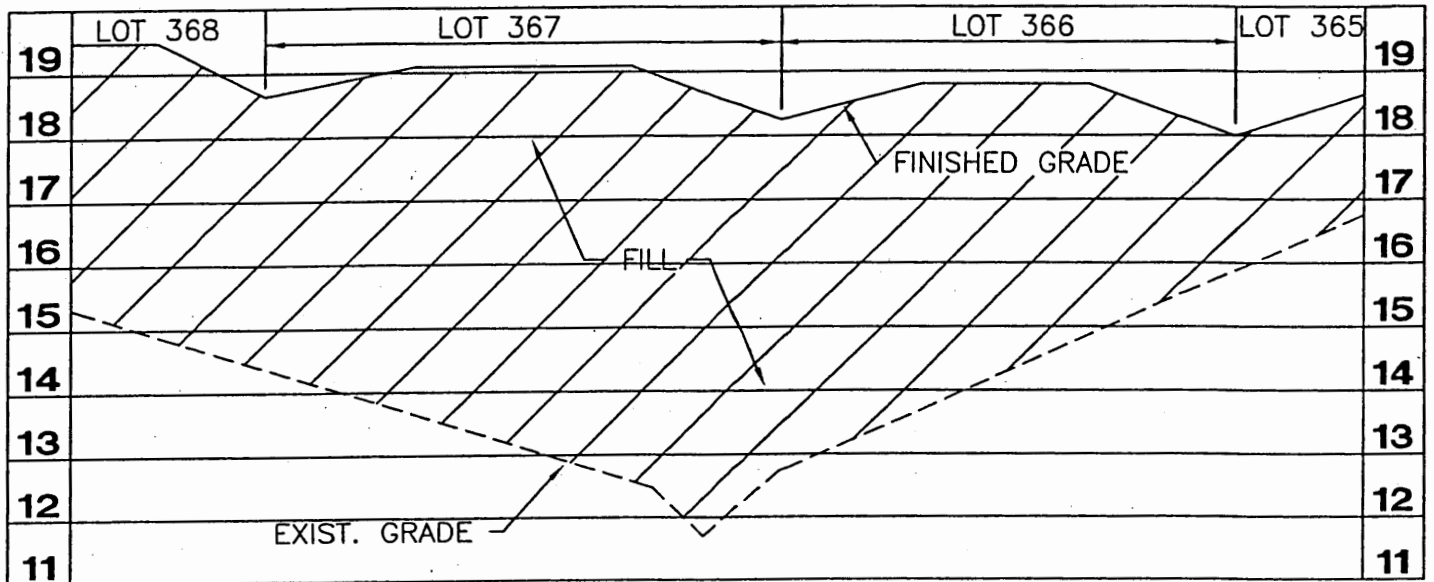
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**Sebastian River
Landings II**

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SECTION B-B

H= 1"=30', V= 1"=3'

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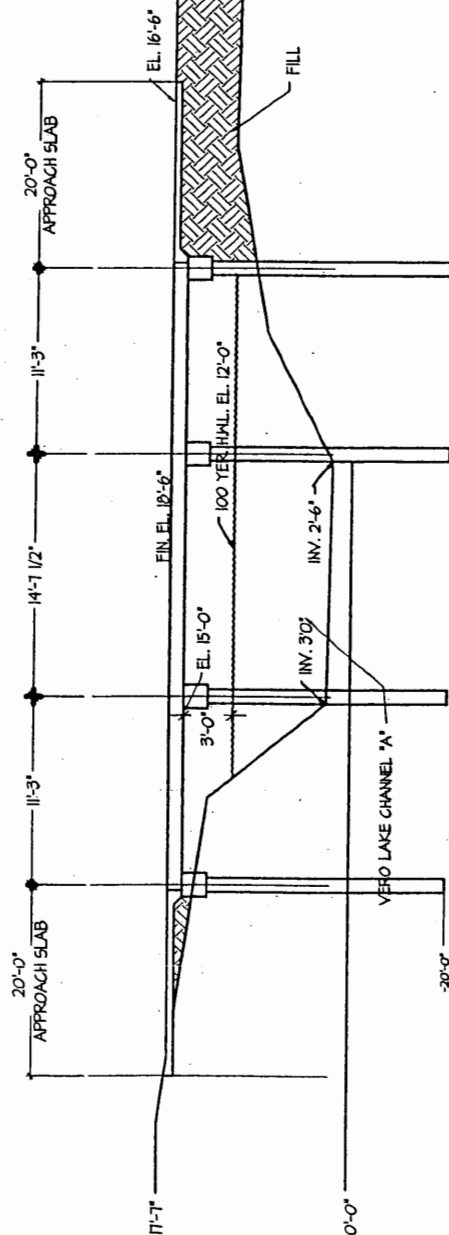
PHONE (772) 569-0035

**Sebastian River
Landings II**

JOB NO. 02-634

DRN/CHK BAM

DATE JUNE 9, 2004



SECTION "C-C"

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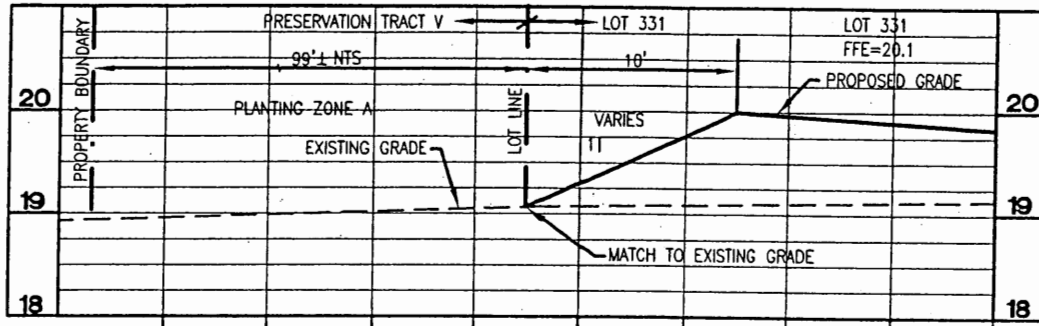
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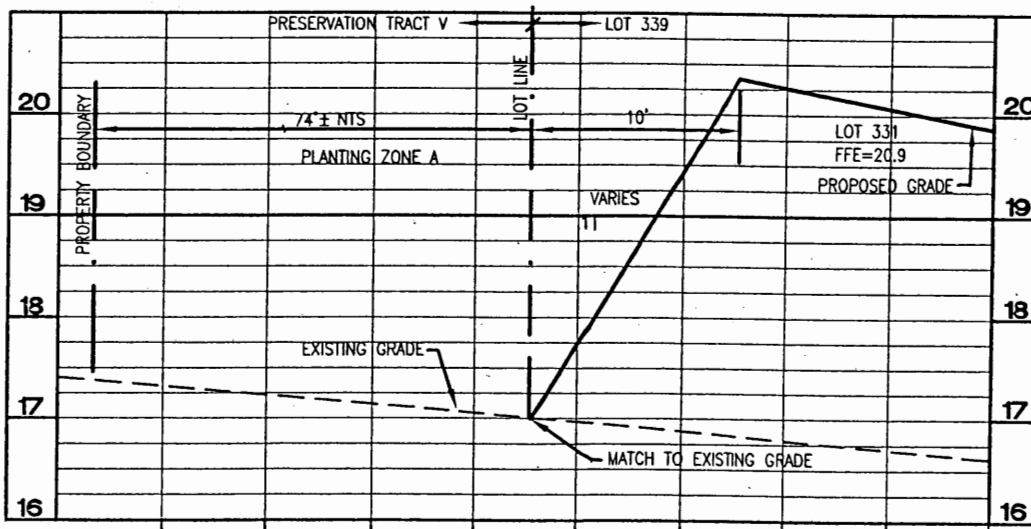
MOSBY AND ASSOCIATES, INC.
 CONSULTING ENGINEERS
 2455 - 14TH AVENUE
 VERO BEACH, FLORIDA 32960
 PHONE (888) 533-2225

Sebastian River
Landings, Phase II

JOB NO.	02-634
DRN/CHK	BAM
DATE	JUNE 2004



SECTION D-D
SCALE: HORZ. 1" = 5'
VERT. 1" = 1'



SECTION E-E
SCALE: HORZ. 1" = 5'
VERT. 1" = 1'

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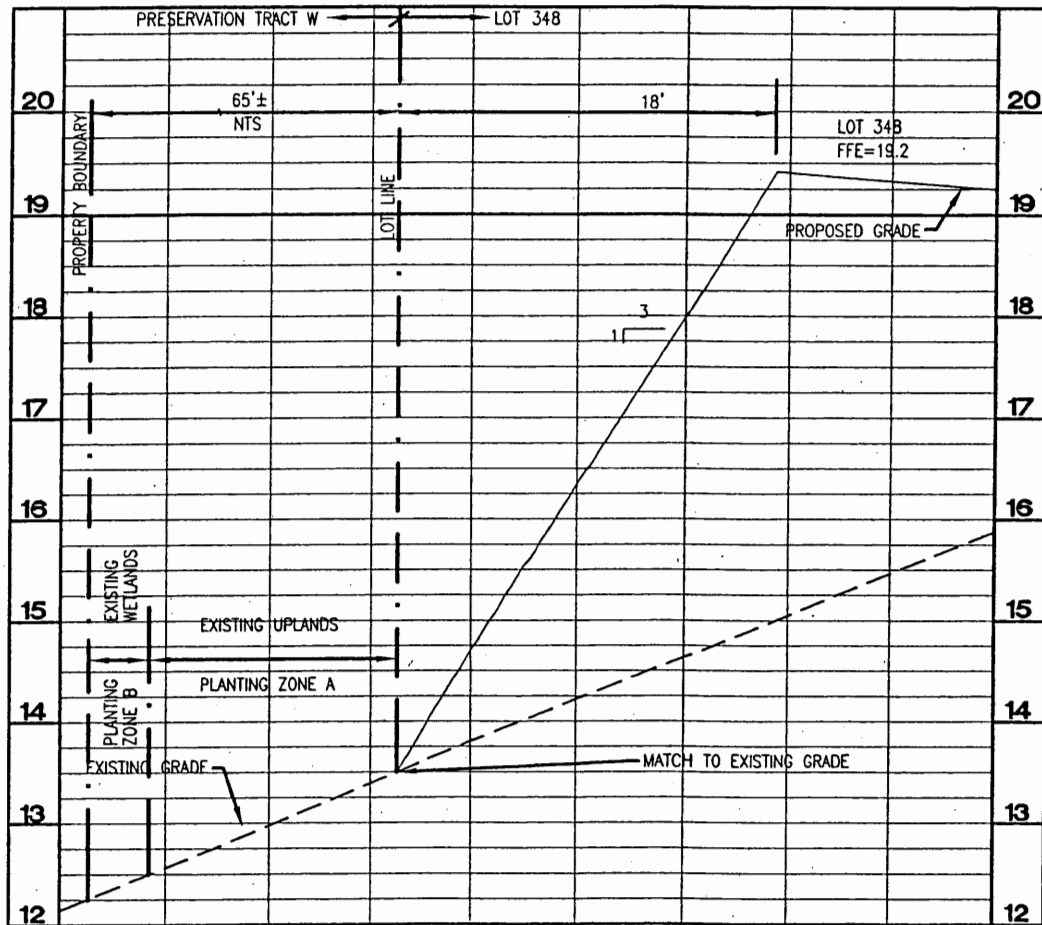


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Sebastian River

Landings II

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SECTION F-F

SCALE: HORZ. 1" = 5'
VERT. 1" = 1'

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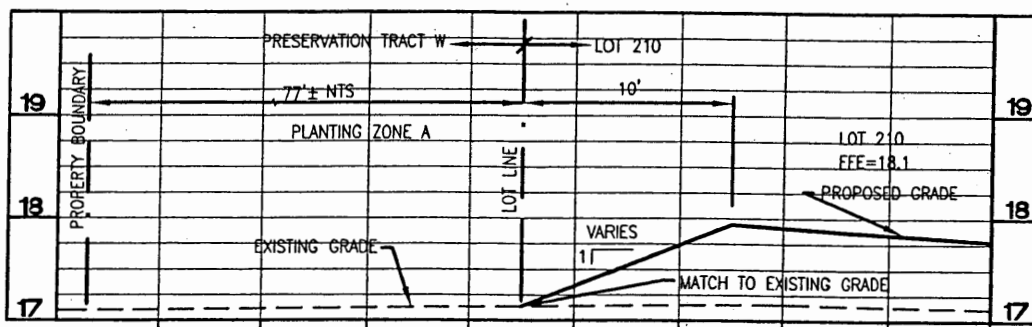


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Sebastian River

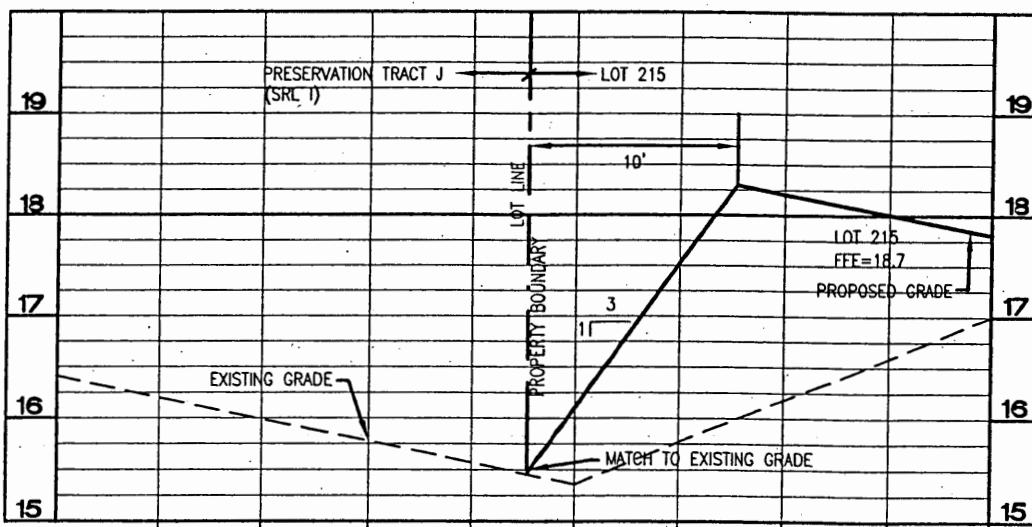
Landings II

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SECTION G-G

SCALE: HORZ. 1" = 5'
VERT. 1" = 1'



SECTION H-H

SCALE: HORZ. 1" = 5'
VERT. 1" = 1'

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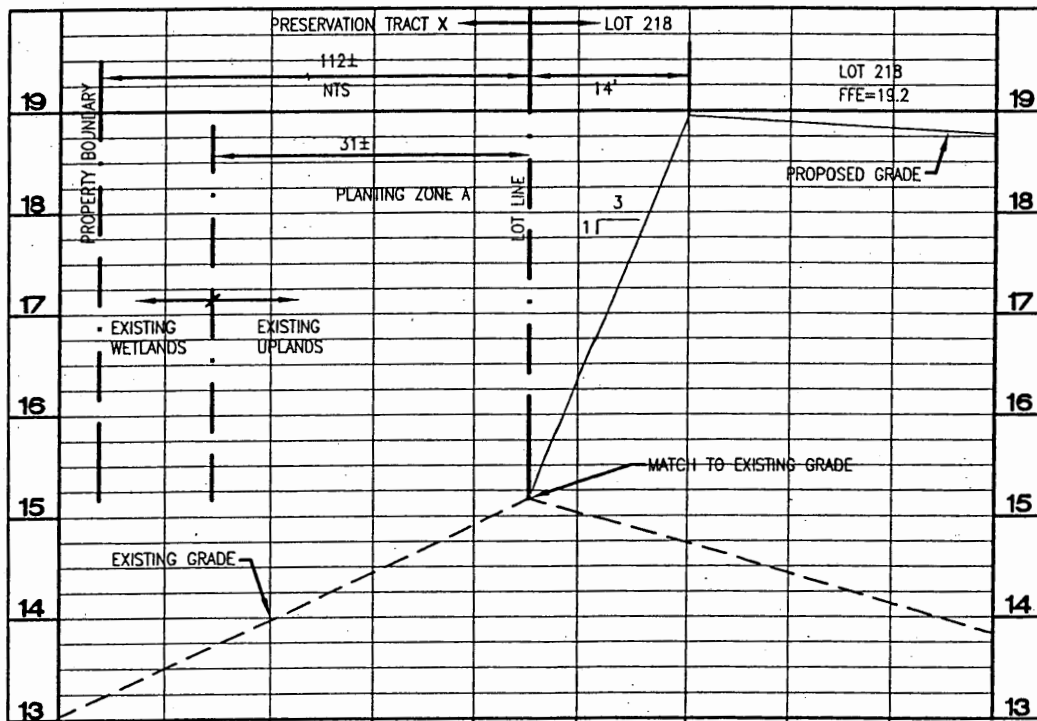


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Sebastian River

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SECTION G-G

SCALE: HORZ. 1" = 10'
VERT. 1" = 1'

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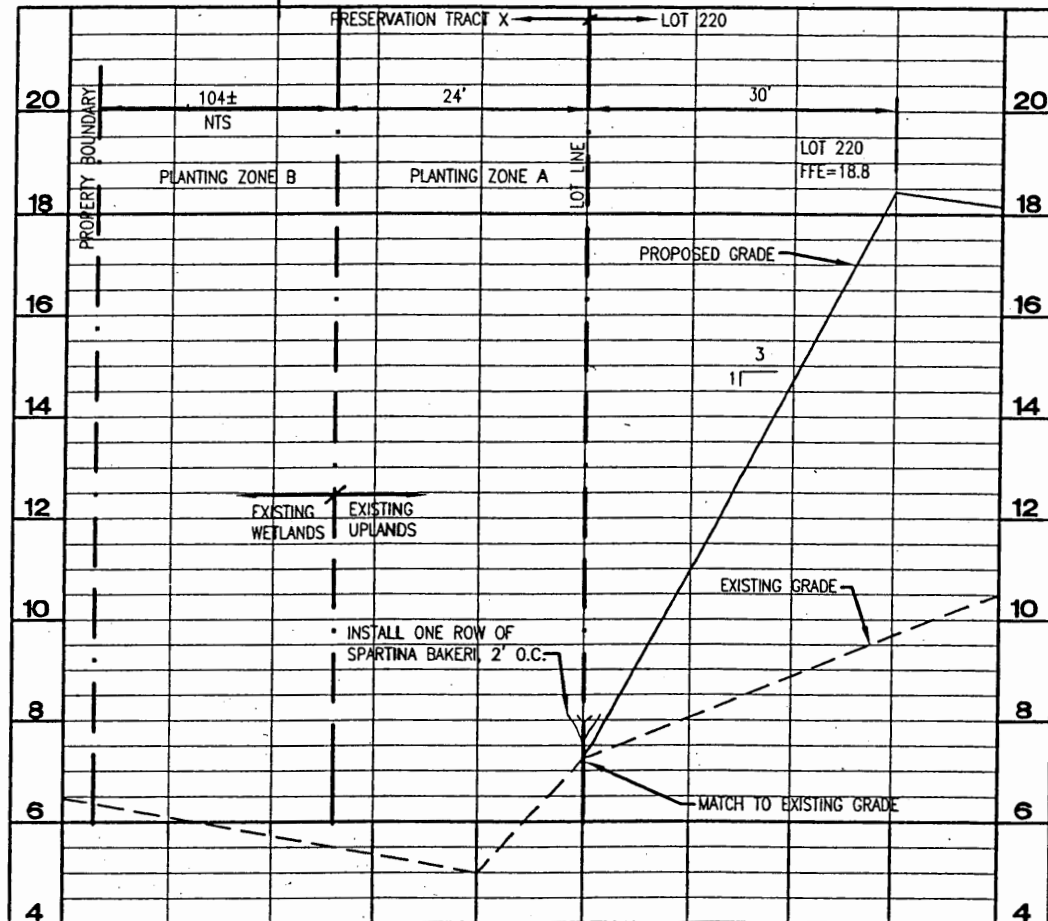
Sebastian River

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SECTION K-K

SCALE: HORZ. 1" = 10'
VERT. 1" = 2'

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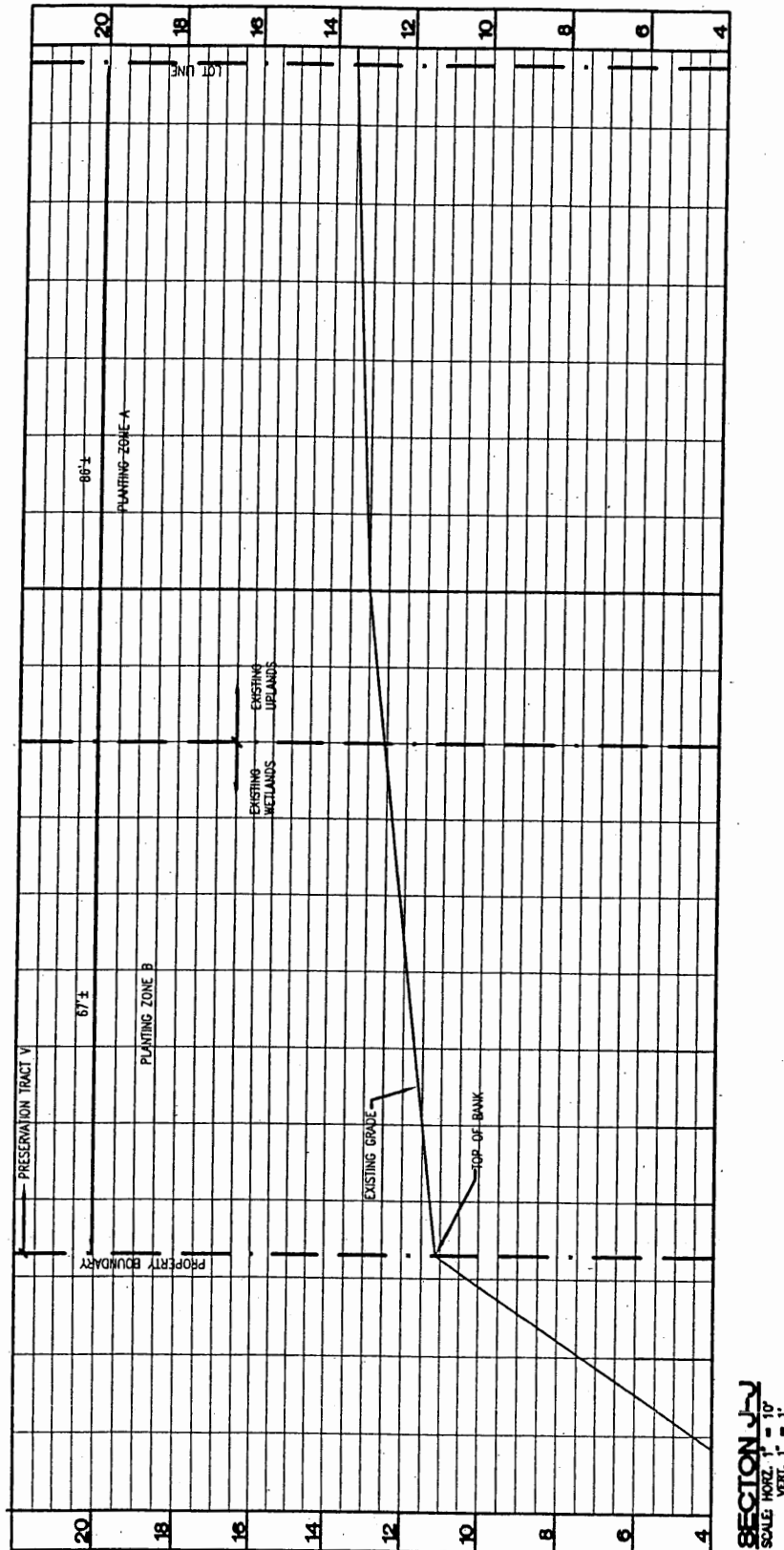


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PHONE (772) 569-0035

Sebastian River

Landings II

JOB NO.	02-634
DRN/CHK	BAM
DATE	JUNE. 9, 2004



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2455 - 14TH AVENUE
VERO BEACH, FLORIDA 32960
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FAX (772) 770-2817

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IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. By means of this notice we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible or inclusion therein, are located at the site of the proposed work. Presently, unknown archeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act of the criteria established under authority of Section 102(a) of the Marine, Protection, Research, and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The U.S. Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with approved Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.


John R. Hall
Chief, Regulatory Division